# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

# REGULAR MEETING OF MARCH 12, 2010

(Published March 20, 2010, in Finance and Commerce)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

March 12, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 3/12/2010.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session held February 26, 2010. Seconded.

Adopted upon a voice vote 3/12/2010.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 3/12/2010.

#### PETITIONS AND COMMUNICATIONS

#### **COMMITTEE OF THE WHOLE:**

CIVIL RIGHTS (274098)

Contract Compliance: 2009 Activity Report.

COORDINATOR (274099)

American Recovery and Reinvestment Act (ARRA): 2009 Year-end summary.

INTERGOVERNMENTAL RELATIONS (274100)
Grants and Special Projects: 2009 Annual Report.

#### **COMMITTEE OF THE WHOLE (See Rep):**

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (274101)

Boards and Commissions: Spring/Fall appt cycle.

#### COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274102)

2010 "It's All About Kids" Program: Contract with Lutheran Social Service for 2010 administration. Broadway Green Project (2022, 2018, 2014, 2010, 2006, 2004, 2000 & 1936 W Broadway Ave):

Exclusive Development Rights for Legacy Management & Development.

River Services Inc: Lease Agreement with GAF Materials Corp.

#### COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274103)

Minneapolis Neighborhood Stabilization Program 2 Funds: Disbursal of award from HUD.

### COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET and ZONING & PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274104)

Minnesota Historical Society: MN Historical & Cultural Heritage Grant award for East Bank Energy Center (Z&P received and filed).

#### PUBLIC SAFETY AND HEALTH (See Rep):

BICKING, DAVE, ET AL. (274105)

Police Chief: Comments relating to reappointment.

#### PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (274106)

Minneapolis Economic Recovery Strategy - Immunization Operations: Execute contract with Minnesota Department of Health to accept \$25,678 to expand City's immunization efforts in its School Based Clinic sites to provide catch up vaccinations for students not previously eligible for services; and approve appropriation.

#### REGULATORY, ENERGY AND ENVIRONMENT:

REGULATORY SERVICES (274107)

Technology Replacement Funding Plan: Request to approve funding plan.

#### REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

COORDINATOR (274108)

Citizen Environmental Advisory Committee: Approve appointment of Marty Broan to fill the unexpired term of Karen Monahan to expire December 31, 2010.

Earth Hour 2010 (March 27, 2010): Resolution supporting Earth Hour 2010.

LICENSES AND CONSUMER SERVICES (274109)

Tacqueria Los Ocampo (809 E Lake St): Grant Special Late Hour Food License.

Licenses: Applications.

REGULATORY SERVICES (274110)

Property at 3111 Dupont Av N: Approve demolition.

REGULATORY SERVICES (274111)

Rental Dwelling License at 3245 Fremont Av N: Revoke license held by Troy F. Hayden.

REGULATORY SERVICES (274112)

Rental Dwelling License at 3538 Dupont Av N: Revoke license held by Kevin Sheeley.

REGULATORY SERVICES (274113)

Rental Dwelling License at 4007 Emerson Av N: Approve license reinstatement to be held by AAA North Properties LLC; owner Sean Maynard.

Waste Tire Programs: Ordinance including Minnesota Rules, Chapter 9220 relating to Waste Tire Programs to allow for the enforcement of record keeping requirements of tire retailers as well as Minnesota Pollution Control Agency Identification requirements of tire haulers.

#### REGULATORY, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

REGULATORY SERVICES (274114)

Administrative Fine Schedule: Approve increase in basic fines.

#### TRANSPORTATION AND PUBLIC WORKS:

CENTERPOINT ENERGY (274115)

Utility Poles Installation at: a) 521 2nd St SE; and b) 180 E 46th St.

PUBLIC WORKS AND ENGINEERING (274116)

2009 Annual High Performing Employee Awards: Winner profiles.

#### TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274117)

Chicago Ave Phase III Reconstruction Project No 6382 (8th St S to Franklin Ave): Project approval and assessment public hearing.

Retractable Banner and Stand: Accept gift from Tierney Brothers and Gary Modlin.

Parking Ramp Revenue Control Equipment: Increase contract with Don Harstad Company for Leamington and 11th & Marquette parking facilities.

Ramp B 2nd Ave N Entrance Project: Change order to contract with Lund Martin Co.

27th Ave S Project Closeout: Reallocation of funds.

Bus Shelter Franchise: Preparation of amendment to Appendix G of Code.

Bid: OP 7239, Accept low bid of Tech Sales Company for cellular modems for sewer flow meters.

#### WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (274118)

2011 Initial Budget Schedule.

#### WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (274119)

Collins Electrical Systems Inc.: Satisfaction of Judgment.

BUSINESS INFORMATION SERVICES (BIS) (274120)

 $Mobile\,Data\,Computers:\,Increase\,OP\,\#6874\,with\,Hubb\,Systems,\,LLC\,d/b/a\,Data\,911\,to\,purchase\,Additional\,Computers.$ 

Computer Aided Dispatch: Amend contract with Unisys to reflect cost of living increase; and revise contract language for technology refresh funds usage.

Microsoft Corporation: Authorize contract by enrolling under State of Minnesota's Enterprise Agreement for volume pricing for product.

BIS Master Contract Program: Authorize continuation of program for 4 year period; and approve contract document.

CITY CLERK (274121)

Election Assistance for Individuals with Disabilities (EAID) Grant Program: Execute agreement for ADA improvements at Powderhorn Park.

COMMUNICATIONS (274122)

April 2010 Utility Billing Insert: Help preventing home foreclosures.

FINANCE DEPARTMENT (274123)

Merchant Services: Execute agreement with Heartland Payment Services.

General Obligation Various Purpose Bonds - Series 2002A: Resolution to enter into an escrow agreement and financing agreement with Hennepin County for advance refunding.

HUMAN RESOURCES (274124)

Civil Service Commissioner Appointment: Ellen McVeigh.

#### WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274125)

Certified Local Government (CLG) Grant through Minnesota Historical Society: Accept funds to revise City's survey of historic properties.

#### **ZONING AND PLANNING (See Rep):**

INSPECTIONS/BOARD OF ADJUSTMENT (274126)

Appeal:

Mike Snow (1101 E River Pkwy): Re variance application.

#### FILED:

MINNEAPOLIS COMMUNITY & TECHNICAL COLLEGE (274127)

Vacate Willow Street adjoining Lots 6 and 7.

#### FILED (See Rep):

LICENSES AND CONSUMER SERVICES (274128)

Tea House Chinese Restaurant (2425 University Av SE): Business license operating conditions relating to On-Sale Liquor Class E with Sunday Sales License.

The following reports were signed by Mayor Rybak on March 16, 2010, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

#### **REPORTS OF STANDING COMMITTEES**

#### The COMMITTEE OF THE WHOLE submitted the following report:

**Comm of the Whole** - Your Committee, having under consideration the streamlining of the open appointments process, now recommends approval of board and commission assignments to home committees, as set forth in Petn No 274101.

Your Committee further recommends approval of a Spring/Fall appointment cycle for City of Minneapolis boards and commissions.

Hofstede moved that the Petition referred to in the report be amended as follows:

- a) add the three citizen appointments of the Audit Committee to the Spring/Fall Cycles for Open Appointments Process document; and
- b) change the home committee assignment for the Civilian Police Review Authority from the PS&H Committee to the Committee of the Whole. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/12/2010.

#### The COMMUNITY DEVELOPMENT Committee submitted the following reports:

**Comm Dev** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Mike Christenson to serve as Director of the Department of Community Planning & Economic Development and Executive Director of the Minneapolis Community Development Agency for a two-year term beginning January 4, 2010, now recommends approval of said reappointment.

**Comm Dev** - Your Committee recommends that the proper City officers be authorized to enter into a contract with Lutheran Social Services in an amount not to exceed \$200,000 for 2010 for the administration of the "It's All About the Kids" Program.

Adopted 3/12/2010.

**Comm Dev** - Your Committee, having under consideration the Broadway Green Project, now recommends approval for the granting of Exclusive Development Rights for 12 months, expiring February 28, 2011 on eight City-owned parcels at 2022, 2018, 2014, 2010, 2006, 2004, 2000 and 1936 W Broadway Ave for Legacy Management and Development.

Adopted 3/12/2010.

**Comm Dev** - Your Committee, having under consideration the Upper Harbor River Terminal sublease agreements, now recommends that River Services Inc and the proper City officers, if necessary, be authorized to enter into a Lease Agreement and other related documents with GAF Materials Corporation to lease the southernmost parcel adjacent to their business location for outdoor storage of asphalt shingles, consistent with the terms and conditions outlined in the Department of Community Planning & Economic Development staff report, and further, authorization for a declaration and/or easement to allow ongoing maintenance of stormwater facilities.

Adopted 3/12/2010.

### The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

**Comm Dev & W&M/Budget** - Your Committee recommends that the proper City officers be authorized to accept and appropriate a \$7,000 Minnesota Historical and Cultural Heritage Grant awarded by the Minnesota Historical Society for the East Bank Energy Center, and that the proper City officers be authorized to execute a grant agreement with the Minnesota Historical Society, subrecipient agreement with East Bank Energy, LLC, and/or disbursement and related agreements for said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning & Economic Development appropriation to reflect the receipt of said grant funds.

Adopted 3/12/2010.

#### RESOLUTION 2010R-094 By Goodman and Hodges

#### Amending the 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Other Fund (01600-8900320) by \$7,000 and increasing the revenue budget (01600-8900900-321513) by \$7,000.

Adopted 3/12/2010.

**Comm Dev & W&M/Budget** – Your Committee, having under consideration Neighborhood Stabilization Program 2 (NSP2) funds, now recommends:

- a) That the proper City officers be authorized to accept, appropriate and disburse the award of \$19,455,156 in U.S. Department of Housing and Urban Development (HUD) NSP2 funds as authorized and appropriated under the American Recovery and Reinvestment Act of 2009 and the Housing and Economic Recovery Act of 2008;
- b) Passage of the accompanying resolution increasing the Department of Community Planning & Economic Development (CPED) appropriation to reflect the receipt of said grant funds;

- c) Execution of the NSP2 grant agreement between HUD and the City of Minneapolis as lead in a Consortium with the City of Brooklyn Park and Hennepin County with HUD approved allocations of \$15,424,156 to the City of Minneapolis, \$2,344,000 to the City of Brooklyn Park and \$1,687,000 to Hennepin County;
- d) Execution of NSP2 Consortium agreements between the City of Minneapolis and the City of Brooklyn Park for \$2,344,000 in NSP2 funds and between the City of Minneapolis and Hennepin County for \$1,687,000 in NSP2 funds; and
- e) That the CPED Director be authorized to make changes to the Minneapolis and Consortium award allocations if necessitated by refinements made to the NSP2 award to meet HUD or programmatic requirements.

Adopted 3/12/2010. Approved by Mayor Rybak 3/12/2010. (Published 3/17/2010)

### RESOLUTION 2010R-095 By Goodman and Hodges

#### Amending the 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Federal Fund (01300-8900220) by \$19,455,156 and increasing the revenue source (01300-8900900-3210008) by \$19,455,156.

Adopted 3/12/2010. Approved by Mayor Rybak 3/12/2010. (Published 3/17/2010)

#### The PUBLIC SAFETY & HEALTH Committee submitted the following reports:

**PS&H** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Gretchen Musicant to serve as the Commissioner of Health for a two-year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 3/12/2010.

**PS&H** - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Timothy Dolan to serve as the Police Chief for a three-year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted. Yeas, 8; Nays, 5 as follows:

Yeas - Quincy, Goodman, Samuels, Reich, Hofstede, Schiff, Colvin Roy, Johnson.

Nays - Glidden, Hodges, Gordon, Lilligren, Tuthill.

Adopted 3/12/2010.

### The PUBLIC SAFETY & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following report:

**PS&H & W&M/Budget** - Your Committee, having under consideration the American Recovery and Reinvestment Act (ARRA) Adult and Adolescent Immunization Operations, now recommends that the proper City officers be authorized to accept \$25,678 from the Minnesota Department of Health to expand the City's immunization efforts in its six School Based Clinic sites to provide catch up vaccinations for students who have not previously been eligible for these services under the Minnesota

Vaccine for Children Program. Further, passage of the accompanying resolution appropriating \$25,678 to the Department of Health & Family Support.

Adopted 3/12/2010.

#### RESOLUTION 2010R-096 By Samuels and Hodges

#### Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600152) by \$25,678 and increasing the Revenue Source (01300-8600152 - Source 321000) by \$25,678. Adopted 3/12/2010.

#### The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

**RE&E** - Your Committee, to whom was referred an ordinance amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority*, amending Section 48.20 to include Minnesota Rules, Chapter 9220, relating to Waste Tire Programs to allow for the enforcement of record keeping requirement of tire retailers as well as Minnesota Pollution Control Agency Identification requirements of tire haulers, now recommends that said ordinance be given its second reading for amendment and passage. Adopted 3/12/2010.

Ordinance 2010-Or-010 amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority*, amending Section 48.20 to include Minnesota Rules, Chapter 9220, relating to Waste Tire Programs to allow for the enforcement of record keeping requirement of tire retailers as well as Minnesota Pollution Control Agency Identification requirements of tire haulers, was adopted 3/12/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-010
By Glidden
Intro & 1st Reading: 2/12/2010
Ref to: RE&E
2nd Reading: 3/12/2010

Amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 48.20 (a) of the above-entitled ordinance be amended to read as follows: 48.20. State rules and statutes. (a) Minnesota Rules (2001), Chapters 4715, 4725, 7035, 7037, 7041, 7042, 7044, 7045, 7048, 7050, 7056, 7060, 7080, 7100, 7105, 7150, and 7151, and 9220, and subsequent updates, are made part of this chapter as if fully set forth herein. Minnesota Statute 115.061 (2003), and subsequent updates, are made part of this chapter as if fully set forth herein. Adopted 3/12/2010.

**RE&E**-Your Committee, having under consideration the application of Taqueria Los Ocampo #4 Inc, dba Taqueria Los Ocampo #4, 809 E Lake St, for an All Night Special Food License (new business; allows food service from 2:00 a.m. to 5:00 a.m. Thursday to Sunday) to expire April 1, 2010, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 3/12/2010.

**RE&E**-Your Committee, having under consideration the application of Silverback Industries LLC, dba Ducati Minneapolis, 2800 Lyndale Av S, for a Motor Vehicle Repair Garage License (new business) to expire September 1, 2010, now recommends that said license be **sent forward without recommendation**.

Glidden moved to amend the report by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 3/12/2010.

**RE&E**-Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 3/12/2010.

Resolution 2010R-097, granting applications for Liquor, Wine and Beer Licenses, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-097 By Glidden

#### Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274109):

#### On-Sale Liquor Class C-1 with Sunday Sales, to expire March 17, 2010

Keegan Pubs Inc, dba Keegan Pubs, 16 University Av NE (temporary expansion of premises with entertainment, March 17, 2010, 5:00 p.m. to 10:00 p.m.)

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 2011

Lip to Lip Inc, dba In Wunderbar, 983 E Hennepin Av

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2010

New Grange Inc, dba The Melting Pot Restaurant, 80 S 9th St (new proprietor)

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2011

McCormick & Schmick Restaurant Corp, dba M & S Grill, 50 S 6th St (new manager)

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2010

Forum, dba Forum, 40 S 7th St (new business)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2010

La Fonda Mexican Eats Inc, dba Esquina Mexican Eats, 10 S 5th St

Off-Sale Beer, to expire April 1, 2011

Marathon on Lyndale, dba Marathon on Lyndale, 4101 Lyndale Av N. Adopted 3/12/2010.

**RE&E**-Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 3/12/2010.

Resolution 2010R-098, granting applications for Business Licenses, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-098 By Glidden

#### Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of March 12, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274109):

Laundry; Food Manufacturer; Restaurant; Sidewalk Cafe; Hotel/Motel; Liquid Waste Hauler; Motor Vehicle Repair Garage; Pet Shop; Plumber; Solid Waste Hauler; Taxicab Service Company; Taxicab Vehicle Fuel Efficient; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Combined Trades; Tree Servicing.

Adopted 3/12/2010.

**RE&E**-Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 3/12/2010.

Resolution 2010R-099, granting applications for Gambling Licenses, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-099 By Glidden

#### Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274109):

#### Gambling Class B

Lions Club of Northeast Minneapolis, dba Lions Club of Northeast Minneapolis, 714 18 1/2 Av NE (Tootie on Lowry, 2706 Lowry Av N; pulltabs, pulltabs with dispensing device; tipboards, paddlewheel, and bar bingo)

Catholic Eldercare Community Foundation, dba Catholic Eldercare Community Foundation, 817 Main St NE (Site: Elsie's Restaurant Bar & Bowling Center, 729 Marshall St NE)

#### **Gambling Exempt**

Childrens Defense Fund, dba Childrens Defense Fund, 555 Park St, Suite 410 (Raffle March 12, 2010, The Depot, 425 S 2nd St)

Minnesota Teen Challenge, dba Minnesota Teen Challenge, 1619 Portland Av S (Raffle April 9, 2010, Hilton Hotel, 1001 Marquette Av S)

Clare Housing, dba Clare Housing, 929 Central Av NE (Bingo, raffles April 17, 2010, Hyatt Hotel, 1300 Nicollet Mall)

Pope John Paul II Catholic School, dba Pope John Paul II Catholic School, 1630 4th St NE (Raffle April 23, 2010, Cedars Hall, St. Maron Church)

Page Education Foundation, dba Page Education Foundation, PO Box 581254 (Raffle April 24, 2010, Target Field Stadium)

Metropolitan Boys Choir, dba Metropolitan Boys Choir, PO Box 19348 (Raffle April 28, 2010, Metropolitan Boys Choir, 9 W Rustic Lodge Av)

Make A Wish Foundation of Minnesota, dba Make a Wish Foundation of Minnesota, 615 1st Av NE, Suite 415 (Raffle May 1, 2010, Target Field)

Minnesota AIDS Project, dba Minnesota AIDS Project, 1400 Park Av (Raffle May 14, 2010, Lush, 990 Central Av NE)

The St. Paul Chamber Orchestra, dba St. Paul Chamber Orchestra, 408 St. Peter St, 3rd floor, St. Paul (Raffle May 22, 2010, Ted Mann Concert Hall).

Adopted 3/12/2010.

**RE&E**-Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of Rocco Forte to serve as the Director of Regulatory Services for a term ending January 2, 2012, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 3/12/2010.

**RE&E** - Your Committee recommends concurrence with the City Council to appoint Marty Broan, environmental advocacy representative, to the Citizen Environmental Advisory Committee, to fill the unexpired term of Karen Monahan to expire December 31, 2010.

Adopted 3/12/2010.

**RE&E** - Your Committee recommends passage of the accompanying resolution supporting Earth Hour 2010.

Adopted 3/12/2010.

Resolution 2010R-100, supporting Earth Hour 2010, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-100 By Glidden and Gordon

#### Supporting Earth Hour 2010.

Whereas, our Minneapolis community is deeply concerned about the impacts of climate change and the future health and well-being of our planet and believes energy efficiency, natural resource conservation, and a demand by the voting public for action by elected officials are important elements to combating climate change; and

Whereas, Earth Hour is both an international and local symbolic event organized by World Wildlife Fund to raise awareness about climate change issues, to encourage businesses, individuals and government to take actions to reduce their carbon emissions and their impact on the environment in their daily lives and operations; and

Whereas, Earth Hour asks all citizens, businesses, government agencies, and commercial and non-commercial establishments to turn off all non-essential lighting for one hour beginning at 8:30 p.m. on March 27, 2010 and to encourage citizens and businesses to commit to actions they can take in the coming year to reduce their carbon footprints and conserve energy; and

Whereas, in Minnesota 35% of Greenhouse Gas emissions comes from electricity; and

Whereas, those Minneapolis buildings participating in the Twin Cities "Lights Out" Campaign are to be commended for turning off lights during spring and fall bird migration in order to reduce the risk of birds hitting tall office buildings during the night; and

Whereas, the Minnesota Energy Challenge is a great way for Minneapolis residents and businesses to learn more about how they can reduce their energy use and combat climate change; and

Whereas, in 2008 and 2009 the City of Minneapolis and many area businesses and residents participated in Earth Hour; and

Whereas, Saturday, March 27, 2010 from 8:30 p.m. to 9:30 p.m. has been designated international Earth Hour; and

Whereas, cities and states across the country are joining to raise awareness and demonstrate our nation's commitment to fighting climate change by supporting "Earth Hour";

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis proclaims March 27, 2010 from 8:30 to 9:30 p.m. as "Earth Hour" and calls upon all residents and businesses to join in supporting the aims and goals of this effort, including turning off lights as much as possible.

Be It Further Resolved that on March 27, 2010, the city will participate in Earth Hour by turning off all uses of electricity in municipal buildings not required for life, safety or operations, and will turn off the decorative lighting on the Stone Arch Bridge and the City Hall Clock tower in order to conserve energy and raise awareness about global climate change.

Adopted 3/12/2010.

**RE&E**-Your Committee, having under consideration the Rental Dwelling License for the property located at 4007 Emerson Av N, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Inspections to approve the reinstatement of said license to be held by AAA North Properties, LLC, owner Sean Maynard.

Adopted 3/12/2010.

**RE&E** - Your Committee, having under consideration the property located at 3111 Dupont Av N which has been determined by the Inspections Division of the City of Minneapolis to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld to demolish the structure located at 3111 Dupont Av N, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 3/12/2010.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by Kevin Sheeley for the property located at 3538 Dupont Av N, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for violating licensing standards in accordance with Section 244.1910 (8) of the Minneapolis Code of Ordinances for failure to allow the required inspections of the units pursuant to Section 244.2000 (c) of the Code. Further, that the City Attorney's Office be directed to prepare Findings of Fact.

Adopted 3/12/2010.

**RE&E** - Your Committee, having under consideration the Rental Dwelling License held by Troy F. Hayden for the property located at 3245 Fremont Av N, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for violating licensing standards in accordance with Section 244.1910 (8) of the Minneapolis Code of Ordinances for failure to allow the required inspections of the units pursuant to Section

244.2000 (c) of the Code. Further, that the City Attorney's Office be directed to prepare Findings of Fact.

### The REGULATORY, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

**RE&E & W&M/Budget** - Your Committee recommends passage of the accompanying resolution amending Resolution 2009R-548 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed November 13, 2009, to increase various basic fine levels.

Adopted 3/12/2010.

Resolution 2010R-101, amending Resolution 2009R-548 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed November 13, 2009, to increase various basic fine levels, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-101 By Glidden and Hodges

Amending Resolution 2009R-548 entitled "Approving the adoption of a consolidated and amended schedule of civil fines for administrative offenses", passed November 13, 2009, to increase various basic fine levels.

Whereas, the City Council has enacted Chapter 2 of the Minneapolis Code of Ordinances (hereinafter "Code") which establishes an administrative enforcement and hearing process for certain violations of the Code; and

Whereas, Section 2.40 of the Code provides that violations of certain provisions of the Code are administrative offenses that may be subject to the administrative enforcement and hearing process; and

Whereas, Section 2.60 of the Code provides for the imposition of a civil fine for administrative offenses; and

Whereas Section 2.70 of the Code provides that the City Council will adopt by Resolution a schedule of civil fines for administrative offenses; and

Whereas Resolution 2004R-367 of this Council established a fine schedule for administrative offenses; and

Whereas this Council has previously amended that fine schedule according to the authority it is granted to it in Section 2.70 of the Code; and

Whereas the City Council wishes to amend the fine schedule to increase the base fine amount and to add and alter other specified fine amounts;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the updated Schedule of Civil Fines, as herein amended, be adopted, to read as follows:

#### SCHEDULE OF CIVIL FINES FOR ADMINISTRATIVE OFFENSES

Adopted by the City Council by Resolution 2010R-101

Unless otherwise specified in the following schedule, the civil fine for an administrative offense enforced pursuant to Chapter 2 of the Minneapolis Code of Ordinances is \$200.

A second or subsequent violation of the same type by the same person or entity in a twenty-four (24) month period of time shall be subject to a fine that is double the amount of the fine imposed for the previous violation, up to a maximum of \$2000 per violation.

Description of Violation	Code Citation	Fine
<b>Title 3 – Air Pollution and Environmental Protection</b> Prohibited connections	56.70	\$750
Title 4 – Animals and Fowl License Required (dogs and cats)	64.10	\$100

Callers and Taga Dagwing d	04.00	¢ጋር
Collars and Tags Required	64.20 64.50(a) & 64.50(b)	\$25 \$75
Leashing and tethers Feces clean up	64.50(a) & 64.50(b)	\$100
Off leash dog areas; permits and regulations	64.55	\$100 \$100
Dogs and cats in heat	64.60	\$75
Maximum number animals of the dog, cat, ferret,	04.00	Ψισ
or rabbit kind	64.100	\$50
License required (ferrets)	65.10	\$50
Vaccinations of dogs required	66.10	\$100
Vaccination of cats required	66.20	\$100
Vaccinations of ferrets required	66.25	\$50
Permit required (Fowl, pigeons, and other small animals) Unattended animals in streets, alleys, sidewalks,	70.10	\$50
public places	74.10	\$50
Attachment of animals to trees, posts prohibited Failure to provide adequate feed, shelter, exercise	74.20	\$50
and space	74.60	\$500
Failure to provide adequate veterinarian care	74.60	\$1,000
Failure to follow security plan	74.60	\$500
Failure to provide required information	74.60	\$500
Keeping of honeybees	74.80	\$50
Animal Cruelty	64.170	\$500
Title 40 Food Code		
<b>Title 10 – Food Code</b> Conducting or Operating a Food Establishment without		
a License	188.160	\$250
No Glass Outside After 11 PM in Downtown	188.540 (9)	\$100
The Class Catoliae Alter 111 Will Bowllowii	100.040 (0)	Ψ100
Title 11 – Health and Sanitation		
Dumping debris on the property of another	<u>225.10</u>	\$1,000
Possessing Drug Paraphernalia in a Public Place	223.235	\$240
Public Urination	227.180	\$80
Title 40. Henrica		
Title 12 – Housing	244 405 (a)	<b>¢240</b>
Graffiti – Defacement of Property	244.495 (a) 244.410	\$240
Light and ventilation Prohibited uses	244.640	\$500 \$500
Required space in dwelling units	244.810	\$500 \$500
Dwelling unit to be occupied by one family	244.820	\$500 \$500
Basement space may be habitable	244.850	\$500
Attic rooms	244.940	\$500
Restricted attic use	244.945	\$500
Condemnation authorized; requiring vacating	244.1450	\$500 \$1,000
Operating a rental property without a rental license	244.1840(1)(a)	\$500
Second Offense Operating a rental without a license	244.1840 (1)(a)	<u>\$2,000</u>
Occupy property after rental license revocation		<del>* ,===</del>
withoutapproval	<u>244.197</u>	<u>\$500</u>
Title 13 – Licenses and Business Regulations	01 / 000 0=0	
Operating a Business without a Required License	Chapters 266 - 350	
(excluding Pawnshops and Precious Metal	excluding Chapters	40
Dealers)	322, 324	\$250
Operating as a Precious Metal Dealer without a	200.00	<b>#</b> 500
Required License	322.20	\$500

Operating as a Pawnshop without a Required License	324.30	\$500
Taxi – Violation of Driver Prohibited Acts	341.250	\$250
Taxi – No Driver's Licenses	341.340	\$250
Taxi – Operate a Taxi without a License	341.480	\$250
Taxi – Defective / Unsealed Meter	341.790	\$250
Sell tobacco to minor by a Tobacco Dealer		
<u>establishment</u>	<u>281.50</u>	<u>\$200</u>
Sell tobacco to minor by an individual	<u>281.50</u>	<u>\$50</u>
Gambling		
Failure to display ID tag by employee	<u>268.80(s)</u>	<u>\$100</u>
Failure to display compulsive gambling hotline	268.80(bb)	<u>\$100</u>
Failure to display statement "Illegal Gambling is		
Prohibited"	268.80(cc)	<u>\$100</u>
Failure to accurately complete prize receipt	268.80(t)	<u>\$100</u>
Failure to deface winning pull tab tickets	<u>268.80(u)</u>	<u>\$100</u>
Mechanical meter in dispensing device not displaying		
<u>current or accurate information</u>	268.80(ii)	<u>\$500</u>
The lessor and/or immediate family prohibited from		
purchasing pull tabs on site	<u>268.80(y)</u>	<u>\$500</u>
Lawful gambling prohibited at any times other than		
during lawful business hours	<u>268.80(n)</u>	<u>\$500</u>
Gambling employees prohibited from purchasing pull		
tabs on site	268.80(x)	<u>\$500</u>
Persons under 18 prohibited from lawful gambling	268.80(jj)	<u>\$500</u>
Sale of pull tabs for cash only	268.80(nn)	<u>\$500</u>
Prohibited activities during operating times of lawful		
gambling	268.80(dd)	<u>\$500</u>
Serial numbers of the game in play must match the		
game flare	268.80(kk)	<u>\$500</u>
All last sale prized offered are posted, by the distributor,		
on the game flare	260.80(mm)	<u>\$500</u>
The game flare does not display the State of Minnesota		
symbol or bar code is not displayed	268.80(II)	<u>\$500</u>
All fines to be paid must originate from the gambling		
organization's general fund	268.80(pp)	<u>\$500</u>
Failure to maintain a valid gambling manager's license	268.80(z)	<u>\$500</u>
Refuse inspection by police	<u>268.80(oo)</u>	<u>\$500</u>
Fail to display state registration stamp dispensing device	· · · · ·	\$500
Failure to maintain lease for dispensing device on site	268.80 (rr)	<u>\$500</u>
Title 14 – Liquor and Beer	000 47 (0)	0.100
No Ropes/Stanchions for Sidewalk Café with Liquor	<del>360.15 (3)</del>	<del>\$100</del>
Music Emanating Beyond Confines of Business	360.55	<del>\$100</del>
Liquor Establishment – Litter within 100 Feet of Lot Lines		<del>\$100</del>
No Glass Outside After 9 PM in Downtown	<del>360.100 (k)</del>	<del>\$100</del>
Failure to Post Sign Warning Pregnant Women of		
Effects of Alcohol, Blood Alcohol Chart, and	200 440	<b>#</b> 400
Consequences of Driving Under the Influence	360.110	\$100 \$500
No Business License – License Required	200.40	\$500
Liquor License Required	362.10	
Wine License Required	363.20	
Beer License Required	366.10	
All Liquor Licenses shall be Posted in a Conspicuous	363.460	¢100
Place	<del>362.460</del>	<del>\$100</del>

Premises to be Open to Inspection Furnishing Liquor to Minors, not Large Venues or	362.490	\$500
Special Events	364.10	\$500
Sales to Obviously Intoxicated Parties	364.30	\$500
Consumption in Public	364.40	\$80
·		·
Loitering in Possession of an Open Bottle	364.45	\$80
Consumption in on sale -hours regulated	364.85	\$500
Unauthorized Persons on Premises between 2:30 and 5:00 a.m.		<del>\$250</del> <u>\$500</u>
"On Sale" Liquor License	364.100	
Wine or Beer License	368.70	
	300.70	
"On-Sale" Premises without Special Licenses to Close		A
<del>Certain Hours</del>	<del>364.100</del>	<del>\$250</del>
"Spiking" Prohibited	368.20	\$250
Club Sales to Non-Members	368.50	\$250
Sale of Liquor to a Minor	370.10 and 364.10	\$500
Sales or Service by a Minor	370.20	\$500
		\$160
Possession/Consumption by a Minor	370.400	·
Withholding of Pertinent Licensing Information on		<del>\$200</del>
<del>Application</del>		
Renewal	<del>362.110</del>	
New	<del>362.120</del>	
Large Venue and Special Events		*Each
Large veride and opecial Events		Incident
		(I)
Special Events: 1 to 10 points of sale (1	<del>364.10</del> <u>370.10</u>	\$500
incident/sale to minor to be a		
violation/compliance failure)		
,		
Special Events: 11 or more points of sale (2	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a	33 3 <u>37 3.1 3</u>	φοσολι
violation/compliance failure)		
	0044007040	<b>#</b> 500 I
Large Venues: 30 to 50 points of sale (2	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a		
violation/compliance failure)		
Large Venues: 51 to 75 points of sale (3	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a		
violation/compliance failure)		
violation/compliance failure)		
1	0044007040	<b>Ф</b> Б00 I
Large Venues: 76 to 100 points of sale (4	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a		
violation/compliance failure		
Large Venues: 101 to 150 points of sale (5	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a		T-20
violation/compliance failure		
1	0044007040	<b>#</b> =00 :
Large Venues: 151 to 200 points of sale (6	<del>364.10</del> <u>370.10</u>	\$500 x I
incidents/sales to minor to be a		
violation/compliance failure)		
,		

Large Venues: 201 or more points of sale (7 incidents/sales to minor to be a violation/compliance failure)	<del>364.10</del> <u>370.10</u>	\$500 x I
*"I" signifies incidents of sales to underage parties		
Title 15 – Offenses – Miscellaneous Loitering Aggressive Solicitation Lurking Noise – Amplified Sound from Vehicles Noisy/Unruly Assembly; Participating in, Conducting, Visiting, Remaining at or Permitting Noisy/Unruly Assembly; Owner, Rental License Holder or Landlord Noise – No Amplified Sound Permit	385.50 385.60 385.80 389.65 (c)(6) 389.65(c)(1) 389.65(c)(1)(c) 389.105	\$240 \$80 \$240 \$80 \$150 \$200 \$250
Title 17 – Streets and Sidewalks Littering	427.30	\$80
Title 18 – Traffic Code Vehicles Displayed for Sale on Public Street Violations as found in Chapter 478 and Chapter 482	478.70	\$50 Fees as approved by 4th Court District, including surcharges. All other violations
Commercial/Overweight Vehicle Parked in Residential Zone	<del>478.240</del>	<u>\$42</u> <del>\$50</del>
Title 20 - Zoning Code Prohibited Home Occupation Commercial Vehicle Parked in Residential Zone Business Open After Hours Residence Districts Office Residence Districts C1 Neighborhood Commercial Districts C2 Neighborhood Corridor Commercial Districts C3A Community Activity Center District C3S Community Shopping Center District C4 General Commercial District Downtown Districts Industrial Districts Adopted 3/12/2010.	535.460 546.80 546.60 547.60 548.240 548.300 548.360 548.420 548.480 549.60 550.90	\$250 \$50 \$250

#### The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the reappointment of Steven A. Kotke to serve as City Engineer for a two-year term beginning January 4, 2010, and having held a public hearing thereon, now recommends approval of said reappointment.

**T&PW** - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to submit a grant application to the Minnesota Department of Natural Resources (DNR) for a Trail Legacy Grant in the amount of \$200,000 to help fund construction of the Ryan Lake Trail.

Colvin Roy moved to amend the Resolved clause of the resolution to read as follows:

"That the City Council authorizes the proper City officers to apply on behalf of the City of Minneapolis to the Department of Natural Resources for a Trail Legacy Grant and a Local Trail Connections Grant in the amount of \$200,000 for the Ryan Lake Trail. Project." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 3/12/2010.

Resolution 2010R-102, authorizing application for grant funding for the Ryan Lake Trail Project, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-102 By Colvin Roy

#### Authorizing application for grant funding for the Ryan Lake Trail Project.

Whereas, the Ryan Lake Trail Project is the first Phase of a multi-neighborhood regional trail project that will connect the Mississippi River Regional Park System to the Minneapolis Grand Rounds trail system at Victory Memorial Trail; and

Whereas, the trail will serve Minneapolis, Robbinsdale, and Brooklyn Center residents and will provide a trail facility in a portion of Minneapolis that lacks trail accommodations; and

Whereas, this project will be constructed in conjunction with the Ryan Lake shoreland restoration project, Ryan Lake reforestation project, and the Victory Prairie restoration project; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, upon approval of its application, the City may enter into agreements for the above-referenced project and will comply with all applicable laws and regulations stated in such agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council authorizes the proper City officers to apply on behalf of the City of Minneapolis to the Department of Natural Resources for a Trail Legacy Grant and Local Trail Connections Grant in the amount of \$200,000 for the Ryan Lake Trail. Project

Adopted 3/12/2010.

# The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the Chicago Avenue Street Reconstruction Project (Phase III), Special Improvement of Existing Street No 6382 (8th St S to Franklin Ave), now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project;
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the project;
  - c) Ordering the City Engineer to install parking restrictions to meet State Aid requirements; and
- d) Ordering the City Engineer to abandon and remove areaways located in the public right-of-way that are in conflict with the project.

Resolution 2010R-103, ordering the work to proceed and adopting the special assessments for the Chicago Ave Phase III (8th St S to Franklin Ave) Street Reconstruction Project No 6382, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-103 By Colvin Roy and Hodges

### CHICAGO AVENUE STREET RECONSTRUCTION PROJECT (PHASE III) SPECIAL IMPROVEMENT OF EXISTING STREET NO 6382

Ordering the work to proceed and adopting the special assessments for the Chicago Avenue Phase III (8th St S to Franklin Ave) Project.

Whereas, a public hearing was held on March 2, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-039, passed January 29, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-039, passed January 29, 2010:

Be It Further Resolved that the proposed special assessments in the total amount of \$556,106.13 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefitted properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2011 real estate tax statements.

Adopted 3/12/2010.

Resolution 2010R-104, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$556,100 for the purpose of paying the assessed cost of street improvements in the Chicago Avenue Phase III (8th St S to Franklin Avenue) Street Reconstruction Project No 6382, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-104 By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$556,100 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Chicago Avenue Phase III (8th St S to Franklin Avenue) Street Reconstruction Project, Special Improvement of Existing Street No 6382, to be assessed against benefitted properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 3/12/2010.

Resolution 2010R-105, directing the City Engineer to establish no parking restrictions on Chicago Ave between the limits of 15th St E and 16th St E and the limits of 18th St E and 19th St E, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-105 By Colvin Roy and Hodges

Directing the City Engineer to establish no parking restrictions on the westerly and easterly sides of Chicago Avenue between the limits of 15th St E and 16th St E and the limits of 18th St E and 19th St E.

Whereas, the City of Minneapolis wishes to reconstruct Chicago Avenue between the limits of 15th St E and 16th St E and the limits of 18th St E and 19th St E; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820 requires parking provisions to meet the existing average daily traffic and peak hour traffic volumes and a minimum number of drive lanes, lane widths, and parking widths; and

Whereas, to meet State Aid Rule 8820, the City recommends establishing No Parking Anytime at the following locations:

- Westerly side of Chicago Ave S beginning 372 feet northerly of the northerly curb line of Franklin Ave E and thence extending 120 feet northerly.
- Westerly side of Chicago Ave beginning 400 feet southerly of the southerly curb line of 18th St E and thence extending southerly to the southern limits of 19th St E;
- Easterly side of Chicago Ave S beginning 228 feet northerly of the northerly curb line of 17th St E and thence extending 108 feet northerly;
- Easterly side of Chicago Ave beginning 230 feet southerly of the southerly curb line of 15th St
   E and thence extending southerly to the southern limits of 16th St E;
- Westerly side of Chicago Ave S beginning 144 feet northerly of the northerly curb line of 14th St E and thence extending northerly to the northern limits of 9th St E;
- Easterly side of Chicago Ave S beginning 276 feet northerly of the northerly curb line of 14th St E and thence extending northerly to the northern limits of 9th St E;
- Southwesterly side of 9th St S between Chicago Ave S and Centennial PI;
- Southwesterly side of 9th St S beginning 20 feet northwesterly of the northwesterly curb line of Centennial PI and thence extending 48 feet northwesterly;
- Northeasterly side of 9th St S beginning 20 feet northwesterly of the northwesterly curb line of Centennial PI and thence extending 48 feet northwesterly;
- Northwesterly side of Centennial PI beginning 20 feet southwesterly of the southwesterly curb line of 9th St S and thence extending 36 feet southwesterly;
- Southeasterly side of Centennial PI beginning 20 feet southwesterly of the southwesterly curb line of 9th St S and thence extending 60 feet southwesterly;
- Southeasterly side of Chicago Ave S beginning 20 feet northeasterly of the northeasterly curb line of 9th St S and thence extending 180 feet northeasterly; and

Whereas, State Aid rules require a certified resolution documenting the requested action; Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby directed to install the parking restrictions and to submit this resolution to the Commissioner of Transportation to meet State Aid Rule 8820.

Adopted 3/12/2010.

Resolution 2010R-106, ordering the abandonment and removal of areaways located in the public street right-of-way that are in conflict with the Chicago Ave Phase III (8th St S to Franklin Ave) Street Reconstruction Project No 6328, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-106 By Colvin Roy and Hodges

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction in the Chicago Avenue Phase III area.

Whereas, the City of Minneapolis has scheduled the street reconstruction improvements starting in 2010 in the Chicago Avenue Phase III (8th St S to Franklin Avenue) area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on March 2, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis Code of Ordinances to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along Chicago Avenue (both sides) from 8th St S to Franklin Avenue.

Adopted 3/12/2010.

**T&PW & W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the Public Works Department to accept a donation of a retractable banner and stand from Tierney Brothers and Gary Modlin to be used for Public Works community outreach and education. Adopted 3/12/2010.

Resolution 2010R-107, authorizing the Public Works Department to accept a donation of a retractable banner and stand, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-107 By Colvin Roy and Hodges

Authorizing the Public Works Department to accept a donation of a retractable banner and stand.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donation of a retractable banner and stand from Tierney Brothers and Gary Modlin, valued at \$300 - \$500, to be used for Public Works community outreach and education.

**T&PW & W&M/Budget** - Your Committee, having under consideration increasing Contract C-22715 (OP 6522) with Don Harstad Company by \$2,040,000, for a revised estimated expenditure of \$7,815,862, for parking ramp revenue control equipment necessary to allow credit card payment options and automation of ramp revenue control activities at the Leamington and the 11th and Marquette (Orchestra Hall) parking facilities with all terms, conditions, and unit pricing to follow the price agreement in the original proposal and project funding provided through Ramp Capital RMP01, with bonds repaid by Convention Center sales tax proceeds, now recommends:

T&PW - Approval.

**W&M/Budget** - Sent forward without recommendation.

Colvin Roy moved that the report be amended by deleting the Ways & Means/Budget Committee recommendation and approving the Transportation & Public Works Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 3/12/2010.

**T&PW & W&M/Budget** - Your Committee, having under consideration the 2nd Ave N Entrance Project at State Ramp B, now recommends that the proper City officers be authorized to execute Change Orders No 1 and No 3 to the contract with Lund Martin Co in the sum total of \$352,106.59, for a revised contract total of \$6,203,088.59. All projects costs will be reimbursed by Mn/DOT.

Adopted 3/12/2010.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolutions:

- a) Receiving and accepting the final costs of Paving and Traffic Operations project work related to the 27th Ave S Reconstruction and Street Lighting Projects, and reallocating excess revenue and Net Debt Bonds to other Paving and Traffic Operations projects;
- b) Requesting the concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds; and
- c) Authorizing the negotiation and execution of an agreement with the State of Minnesota for costs associated with the bridge deck replacement of the LaSalle Bridge over I-94.

Adopted 3/12/2010.

Resolution 2010R-108, receiving and accepting the final costs of various Paving and Traffic Operations project work and adjusting the capital appropriation as necessary thereby closing the projects and reallocating excess revenue and bonds to other Paving and Traffic projects, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-108 By Colvin Roy and Hodges

Receiving and accepting the final costs of various Paving and Traffic Operations project work and adjusting the capital appropriation as necessary thereby closing the projects.

Resolved by The City Council of The City of Minneapolis:

That the final costs of all work described in the following Paving and Traffic Operations project work for the total amount specified be received and accepted, and that the capital appropriation be adjusted as specified thereby closing the projects:

a) All Paving operations work related to the 27th Ave S Street Reconstruction Project for a total of \$6,036,049.91. The paving operations capital appropriation for 04100-9010937 Project CPV015PV should be decreased by \$845,072.56. Excess non-bond revenues shall be re-designated in the amount of \$151,567.83 and excess Net Debt Bonds shall be re-designated in the amount of \$300,000.00;

- b) All Street Lighting work related to the 27th Ave S Street Reconstruction Project for a total of \$133,363.49. Street lighting capital appropriation in 04100-9010943 Project CPV015SL should be decreased by \$237,636.51; and
- c) All Traffic Operations work related to the 27th Ave S Street Reconstruction Project for a total of \$300,709.60. Traffic operations capital appropriation in 04100-9010943 Project CPVT15 should be decreased by \$13,290.40.

Be It Further Resolved that as a result of the above project close-outs, excess revenue and Net Debt Bonds shall be reallocated to the projects listed below:

- \$80,000 to Mn/DOT Cooperative Projects 04100-9010937 Project CPV066 (LaSalle Bridge) from excess non-bond revenues:
- \$371,567.83 to Camden Bridge Rehabilitation 04100-9010938 Project CBR109 \$300,000 of Net Debt Bonds and \$71,567.83 of excess non-bond revenues; and
- •\$90,661.68 from Arbitrage Fund 04l60 to Debt Service Fund 05l60 to cover Hillcrest Development's appeal of its assessment.

Adopted 3/12/2010.

Resolution 2010R-109, requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$300,000, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-109 By Colvin Roy and Hodges

Requesting concurrence of the Board of Estimate and Taxation in the reallocation of already issued Net Debt Bonds in the amount of \$300,000.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur with the reallocation of already issued Net Debt Bonds in the total amount of \$300,000 from the 27th Ave S Street Reconstruction Project (04100-9010937 - CPV015PV) to the Camden Bridge Rehabilitation Project (04100-9010938 - CBR109).

Adopted 3/12/2010.

Resolution 2010R-110, authorizing the negotiation and execution of an agreement with the State of Minnesota for costs associated with the bridge deck replacement of the LaSalle Bridge over I-94, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-110 By Colvin Roy and Hodges

Authorizing the negotiation and execution of an agreement with the Minnesota Department of Transportation.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers are authorized to negotiate and execute an Agreement with the Minnesota Department of Transportation for the City of Minneapolis costs associated with the Bridge Deck replacement of the LaSalle Bridge over I-94.

**T&PW & W&M/Budget** - Your Committee, having under consideration the Bus Shelter Franchise Agreement with CBS Outdoor, as set forth in Appendix G of the Minneapolis Code of Ordinances, now recommends:

- a) That the proper City officers be authorized to amend the CBS Outdoor agreement to change the interim extension date from April 1, 2010 to June 30, 2010, to provide for the continuance of provisions as set forth in Appendix G; and
- b) That the proper City officers be authorized to prepare the introduction of the subject matter of an amendment to Appendix G of the Code to allow for the interim extension to June 30, 2010. Adopted 3/12/2010.

**T&PW & W&M/Budget** - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP 7239 from Tech Sales Company, in the amount of \$139,223.00, to furnish cellular modems for sewer flow meters for the City of Minneapolis Public Works Department.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 3/12/2010.

#### The WAYS & MEANS/BUDGET Committee submitted the following reports:

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the satisfaction of judgment in the matter *Collins Electrical Systems Inc. vs. City of Minneapolis*, as recommended by the City Attorney.

Adopted 3/12/2010.

Resolution 2010R-111, authorizing satisfaction of judgment in the matter *Collins Electrical Systems Inc.* vs. *City of Minneapolis*, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

### RESOLUTION 2010R-111 By Hodges

#### Authorizing satisfaction of judgment.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the satisfaction of judgment in the matter of *Collins Electrical Systems, Inc.* vs. City of Minneapolis, by payment of \$350,161.24 to Collins Electrical Systems, Inc., from the Internal Service Self Insurance Fund (06900-1500100-145685).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the satisfaction.

Adopted 3/12/2010.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to purchase additional Mobile Data Computers under OP #6874 from Hubb Systems, LLC d/b/a Data911 in the amount \$500,000. The increased expenditures are funded by grants awarded to the Police, Emergency Preparedness and Regulatory Services Departments.

**W&M/Budget -** Your Committee recommends that the proper City officers be authorized to amend the Computer-Aided Dispatch Managed Services Agreement C-22831 with Unisys Corporation as follows:

- a) Increase by \$35,870 for the remaining 36 months to reflect a cost of living increase; and
- b) Revise contract language to allow for more flexibility on how the technology refresh funds are used.

Adopted 3/12/2010.

**W&M/Budget** - Your Committee, having under consideration the Business Information Services (BIS) Master Contract program, now recommends that the proper City officers be authorized to continue said master contract program for another four (4) year period through June 30, 2014 for issuing master contracts up to \$2,500,000 with technology providers selected through the State of Minnesota Request for Proposals (RFP) process for inclusion in their list of technology providers. No individual scope of work under these master contracts will exceed \$500,000 without formal City Council approval.

Your Committee further recommends approval of the BIS Master Contract as set forth in Petn No 274120 on file in the Office of the City Clerk.

Adopted 3/12/2010.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute a contract with Microsoft Corporation by enrolling under the State of Minnesota's renewed Enterprise Agreement, taking advantage of the State of Minnesota's volume pricing for Microsoft products.

Adopted 3/12/2010.

**W&M/Budget**-Your Committee recommends passage of the accompanying resolution authorizing proper City officers to execute a grant agreement with the Office of the Secretary of State for improvements to Americans with Disabilities Act (ADA) accessibility at Powderhorn Park.

Adopted 3/12/2010.

Approved by Mayor Rybak 3/12/2010.

(Published 3/17/2010)

Resolution 2010R-112, authorizing a grant agreement with the Office of the Secretary of State for improvements to ADA accessibility at Powderhorn Park, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-112 By Hodges

Authorizing a grant agreement with the Office of the Secretary of State for improving ADA accessibility at Powderhorn Park.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to:

- a) Apply for a grant from the Office of the Secretary of State of Minnesota for Federal funds pursuant to Title II, Section 261 of the Help America Vote Act for the sole purpose of improving access to polling places in this city for persons with disabilities;
- b) Enter into an agreement with the Office of the Secretary of State governing the receipt, expenditure, reimbursement and reporting of such a grant;
- c) Receive and account separately in a manner sufficient to meet generally accepted government accounting principles sufficient to pass federal audit; and

d) Expend any sums received in the manner indicated in the grant application and agreement with the Office of the Secretary of State.

Adopted 3/12/2010.

Approved by Mayor Rybak 3/12/2010.

**W&M/Budget -** Your Committee recommends approval of the April 2010 utility billing insert on behalf of Community Planning and Economic Development communicating the help available to prevent home foreclosures. (Petn 274122)

Adopted 3/12/2010.

**W&M/Budget -** Your Committee, having under consideration the City's Merchant Services, and having received a request to authorize proper City officers to enter into negotiations with Heartland Payment Systems to provide such services, for an annual cost of \$78,000, now recommends that said request be **sent forward without recommendation**.

Hodges moved that the report be deleted. Seconded.

Adopted by unanimous consent 3/12/2010.

**W&M/Budget** - Your Committee recommends passage of the accompanying resolution authorizing the Chief Financial Officer (CFO) to enter into an Escrow Agreement and Financing Agreement with Hennepin County to allow for an advance refunding of the General Obligation Various purpose Bonds, Series 2002A, which financed the Central Library Parking Ramp.

Adopted 3/12/2010.

Resolution 2010R-113, authorizing the redemption and prepayment of the outstanding General Obligation Various Purpose Bonds, Series 2002A, from payments to be made by Hennepin County, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-113 By Hodges

Authorizing the redemption and prepayment of the outstanding General Obligation Various Purpose Bonds, Series 2002A, from payments to be made by Hennepin County.

Resolved by The City Council of The City of Minneapolis:

- 1. The City of Minneapolis (the "City") has previously issued its General Obligation Various Purpose Bonds, Series 2002A, dated as of December 19, 2002 (the "Series 2002A Bonds"), in part to finance construction of the Central Library parking ramp facility (the "Parking Ramp"). Pursuant to that certain Financing and Grant Agreement Regarding Library Consolidation, dated as of December 31, 2007 (the "Library Consolidation Agreement"), by and between Hennepin County (the "County") and the City, and pursuant to Minnesota Laws 2007, Chapter 121, the City transferred to the County certain library improvements within the County, including the Parking Ramp, and the County assumed the obligation to make payments to the City in amounts equal to the principal of and interest on the portion of the Series 2002A Bonds that financed the Parking Ramp (the "City Ramp Bonds"). Pursuant to the terms of the Library Consolidation Agreement, the City has agreed to cooperate with the County in refunding or defeasing the outstanding City Ramp Bonds.
- 2. Pursuant to the authority granted by Minnesota Statutes, Section 383B.245, and Minnesota Statutes, Chapter 475, and pursuant to the terms of the Library Consolidation Agreement, the Board of Commissioners of the County proposes to issue and sell General Obligation Library Refunding Bonds, Series 2010A (the "County Bonds"), contingent upon favorable market conditions, in a principal amount sufficient to prepay its obligation to make payments to the City equal to the principal of and interest on the City Ramp Bonds; provided that the City will apply such prepayment to refund in advance

of maturity the outstanding maturities of the City Ramp Bonds. The County Bonds shall not constitute an indebtedness of the City or a charge against the credit or taxing powers of the City.

- 3. The City proposes to accept prepayment of the County's obligation to make payments to the City equal to principal of and interest on the City Ramp Bonds and to apply such prepayment to refund in advance of maturity the outstanding maturities of the City Ramp Bonds.
  - 4. The City Council hereby finds and determines as follows:
    - (a) The City Ramp Bonds were issued in the original aggregate principal amount of \$10,100,000, pursuant to authority granted by the City Charter and Minnesota Statutes, Chapter 475, as amended, to finance the Parking Ramp.
    - (b) The outstanding City Ramp Bonds maturing or subject to mandatory redemption on December 1, 2010, and any date thereafter:

<u>Year</u>	Principal Amount
2010	\$150,000
2011	180,000
2012	205,000
2013	235,000
2014	265,000
2015	305,000
2016	340,000
2017	380,000
2018	425,000
2019	470,000
2020	520,000
2021	575,000
2022	630,000
2023	685,000
2024	750,000
2025	820,000
2026	900,000
2027	975,000
2028	1,050,000

- 5. In accordance with Minnesota Statutes, Section 475.67, upon sale and issuance of the County Bonds, the County will transfer proceeds of the County Bonds, together with other available funds of the County, if necessary (collectively, the "County Payment"), to the City, and the City will apply the County Payment pursuant to the terms of an Escrow Agreement, dated on or after April 1, 2010 (the "Escrow Agreement"), between the City, the County, and an escrow agent selected by the City and acceptable to the County (the "Escrow Agent"). Amounts available under the Escrow Agreement will be sufficient to pay interest on the City Ramp Bonds on June 1, 2010, and on December 1, 2010, and to redeem the outstanding principal amount of the City Ramp Bonds on December 1, 2010, at par.
- 6. The Finance Officer of the City is hereby authorized to execute the Escrow Agreement in substantially the form now on file with the Finance Officer, with such changes as shall be approved by the Finance Officer, which approval shall be conclusively evidenced by the execution thereof by the Finance Officer. Securities purchased from the County Payment deposited in the Escrow Fund established by the terms of the Escrow Agreement (the "Escrow Fund") shall be limited to securities specified in Minnesota Statutes, Section 475.67, Subdivision 8. Securities purchased for the Escrow Fund shall be purchased simultaneously with the delivery of and payment for the County Bonds and the transfer to the Escrow Agent of the County Payment in accordance with the terms of the Escrow Agreement.
- 7. When the County Bonds are issued to refund the City Ramp Bonds and the County Payment has been delivered to the Escrow Agent, the City shall mail a notice of redemption of the City Ramp

Bonds by first class mail to the registered owner of the City Ramp Bonds in accordance with the terms of the City Ramp Bonds, the Library Consolidation Agreement, the Escrow Agreement, and the Financing Agreement (as hereinafter defined), and the City Ramp Bonds shall be redeemed and prepaid on December 1, 2010. Computations evidencing compliance with the arbitrage and rebate requirements of Section 148 of the Internal Revenue Code of 1986, as amended (other than the verification of both the sufficiency of the investments deposited in the Escrow Fund and the yield of such investments), shall be undertaken in a timely manner by the Finance Officer and the results of such computations shall be provided to the County.

8. The Finance Officer of the City is hereby authorized to execute the Agreement Relating to Financing and Grant Agreement Regarding Library Consolidation, dated on or after March 1, 2010 (the "Financing Agreement"), between the County and the City. The Financing Agreement shall be executed and delivered prior to the sale of the County Bonds in substantially the form now on file with the Finance Officer, with such changes as shall be approved by the Finance Officer, which approval shall be conclusively evidenced by the execution thereof by the Finance Officer. The Finance Officer is hereby authorized and directed to take all necessary actions to cause the City Ramp Bonds to be redeemed and prepaid on December 1, 2010, including the execution and delivery of any amendment to the Library Consolidation Agreement determined by the County and the City to be necessary or desirable, and such other actions as may be required to effectuate the terms and intent of this Resolution.

Adopted 3/12/2010.

**W&M/Budget** - Your Committee, having received the recommendation of the Executive Committee for the reappointment of Ellen McVeigh to serve on the Minneapolis Civil Service Commission, for a term ending February 28, 2013, and having held a public hearing thereon, now recommends approval of said reappointment.

Adopted 3/12/2010.

# The WAYS & MEANS/BUDGET and ZONING & PLANNING Committees submitted the following report:

**W&M/Budget & Z&P** – Your Committee having under consideration the federal Certified Local Government (CLG) Grant, administered by the State Historic Preservation Office of the Minnesota Historical Society, now recommends the following:

- a) Authorizing proper City officers to accept funds in the amount of \$23,000 to be used to revise the City's survey of historic properties for the following neighborhoods of Hale, Keewaydin, Armatage, Kenny, Windom, Ericsson, Field, Page, Minnehaha, Diamond Lake, Wenonah, Morris Park, Regina, Northrop, Corcoran, Bryant, Bancroft, Standish, Victory, Shingle Creek, Webber-Camden, Humboldt Industrial Area, Lind-Bohanan, Folwell, McKinley and Cleveland;
- b) Passage of the accompanying resolution appropriating funds into the Community Planning and Economic Development Agency; and
- c) Authorizing the City to enter into Professional Services Agreement with selected contractors as a result of a Request for Proposals (RFP) process.

Adopted 3/12/2010.

## RESOLUTION 2010R-114 By Hodges and Schiff

#### Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Community Planning and Economic Development agency Federal Fund (0300-890-8962) by \$23,000; and increasing the Community Planning and Economic Development agency Federal Fund revenue source (0300-890-8962-3210) by \$23,000.

#### The ZONING & PLANNING Committee submitted the following report:

**Z&P** - Your Committee, having under consideration the appeal filed by Michael Snow from the decision of the Board of Adjustment which denied an application for a variance to reduce the minimum lot area from the required 10,000 square feet to 7,949 square feet in order to allow the conversion from a single-family dwelling to a two-family dwelling at 1101 E River Parkway, now recommends that said appeal be denied and the decision of the Board of Adjustment be upheld, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 3/12/2010.

#### **MOTIONS**

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of April, 2010, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 3/12/2010.

Johnson moved to amend the "City Council Appointment of Council Members on Boards and Commissions" list, adopted January 4, 2010, by adding the following in alphabetical order:

"Central Corridor Coordinating Committee Gordon" Seconded.

Adopted 3/12/2010.

#### **RESOLUTIONS**

Resolution 2010-115, recognizing the tragedy caused by the February 27th earthquake in Chile and extending our deepest sympathy to the people of our sister city of Santiago, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-115

By Glidden, Reich, Gordon, Hofstede, Johnson, Samuels, Lilligren Goodman, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges

Recognizing the tragedy caused by the February 27th earthquake in Chile and extending our deepest sympathy to the people of our sister city of Santiago.

Whereas, Minneapolis and Santiago formed a sister city relationship in 1961 as a means of promoting greater good will and mutual understanding between our two cities; and

Whereas, in the past there have been many exchanges between Minneapolis and Santiago; and Whereas, there has been recent interest in both Santiago and Minneapolis in revitalizing this sister city relationship; and

Whereas, Chile was struck by a devastating earthquake on February 27, 2010; and

Whereas, in Santiago, residents reported having been terrified as the city shook for about 90 seconds; and

Whereas, the Chilean Red Cross has requested aid through the Red Cross Federation; and Whereas, the American Red Cross Twin Cities has established a Chilean Relief Fund;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council, on behalf of the people of Minneapolis, hereby extends their deepest sympathy to the people of Chile on this natural disaster.

Be It Further Resolved that citizens wishing to assist our sister city of Santiago may make a donation to the American Red Cross Twin Cities Chilean Relief Fund on behalf of our Minneapolis - Santiago Sister City relationship.

Adopted 3/12/2010.

Resolution 2010-116, authorizing application by the City of Minneapolis, on behalf of El Colegio Charter School, for Hennepin Youth Sports Program grant funding, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-116 By Glidden

Authorizing application by the City of Minneapolis, on behalf of El Colegio Charter School, for Hennepin Youth Sports Program grant funding.

Whereas, Hennepin County, via the Hennepin Youth Sports Program, provides for capital funds to assist local government units of Hennepin County for the development of sport or recreation facilities, and

Whereas, the City of Minneapolis desires to assist in the development of a project for El Colegio Charter School ("Project") for the purpose of providing a small soccer field, half court basketball area, and student and community gardens;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

- 1. That the estimate of the total cost of developing the project shall be \$200,000 and the City of Minneapolis, on behalf of El Colegio Charter School, is requesting \$120,000 from the Hennepin Youth Sports Program.
- 2. That the City will negotiate in good faith for a grant agreement between the City, Hennepin County and El Colegio Charter School for the County to be repaid if the project is not maintained or used as described in the grant agreement.
- 3. The City of Minneapolis agrees to enter into good faith negotiations for any necessary and required agreements with Hennepin County and El Colegio Charter School for the specific purpose of the Project.
- 4. That the Community Planning and Economic Development Department of the City of Minneapolis is authorized to serve as an official liaison with Hennepin County of its authorized representative.

Adopted 3/12/2010. Yeas, 12; Nays, 1 as follows:

Yeas - Quincy, Glidden, Goodman, Hodges, Samuels, Gordon, Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Johnson.

Nays - Tuthill.

#### **UNFINISHED BUSINESS**

**RE&E** - Your Committee, having under consideration the application of Tea House Chinese Restaurant, dba Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire January 1, 2011, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Gordon moved to substitute the following report for the above report. Seconded. Adopted by unanimous consent.

**RE&E** - Your Committee recommends passage of the accompanying resolution granting the application of Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions to be reviewed by Business Licensing staff and the Prospect Park East River Road Improvement Association by March 12, 2011.

Adopted 3/12/2010.

Resolution 2010R-117, granting the application of Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions to be reviewed by Business Licensing staff and the Prospect Park East River Road Improvement Association by March 12, 2011, was adopted 3/12/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

#### RESOLUTION 2010R-117 By Gordon

Granting the application of Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions to be reviewed by Business Licensing staff and the Prospect Park East River Road Improvement Association by March 12, 2011.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Tea House Chinese Restaurant, dba Tea House Chinese Restaurant, 2425 University Av SE, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire January 1, 2011, subject to the following conditions:

- 1. Tea House will use its counter area for food service with alcohol as an accessory, will make counter menus, place settings, and food specials prominently visible at the counter area, and will not display hard liquor shelves facing the counter area.
- 2. Tea House will not offer drink specials which provide more alcohol for the same price or a nominal additional cost, including 2-for-1s.
- 3. Tea House will comply with a minimum standard of gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than 60% of its total gross revenue. The licensee will report this for the first three months after the license is approved.
  - 4. Tea House will not advertise hard liquor on the outside of their building.
- 5. Tea House will not advertise happy hour specials on its property viewable from the outside of the building, including happy hour special signs on its property outside.
- 6. Tea House will end all drink specials before Midnight. Tea House will also offer non-alcoholic beverage and food specials to complement drink specials.
- 7. No media advertisement (including broadcast media and handbills) put out by Tea House will focus exclusively on alcohol.
  - 8. Final inspection and compliance with all provisions of applicable codes and ordinances. Adopted 3/12/2010.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to *General Provisions: Administrative Enforcement and Hearing Process*, for first reading and referral to the Regulatory, Energy & Environment Committee (amending sections 2.20 and 2.50 to authorize Traffic Control Agents to issue administrative citations and clarifying the manner in which parking code citations should be issued). Seconded.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to *Traffic Code: Parking, Stopping and Standing*, for first reading and referral to the Regulatory, Energy & Environment Committee (adding a new section relating to Traffic Control Agent Service Fees and establishing these fees in the Director's Fee Schedule, to include an hourly traffic control agent fee and a separate overtime fee if required). Seconded.

Adopted 3/12/2010.

Pursuant to previous notice, Glidden moved to introduce the subject matter of an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, for first reading and referral to the Regulatory, Energy & Environment Committee (including Traffic Control Agent service fees in the Director's Fee Schedule). Seconded.

Adopted 3/12/2010.

#### **NEW BUSINESS**

Colvin Roy moved to introduce the subject matter of an ordinance amending Appendix G of the Minneapolis Code of Ordinances relating to *Bus Stop Shelters Franchise*, for first reading and referral to the Transportation & Public Works Committee (allowing interim extension to June 30, 2010). Seconded.

Adopted by unanimous consent 3/12/2010.

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3, Chapter 48 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority* (including temporary wells as part of existing permit requirements).

Lilligren moved to adjourn. Seconded. Adopted upon a voice vote 3/12/2010.

Tina Sanz, Assistant City Clerk.

Unofficial Posting: 3/16/2010 Official Posting: 3/19/2010 Correction: 6/24/2010; 9/16/2010